

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ETC SUNOCO HOLDINGS LLC)	
(formerly known as SUNOCO, INC.),)	
)	
Plaintiffs,)	
)	
v.)	CIVIL NO. 3:20-cv-2981
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**UNITED STATES' UNOPPOSED
MOTION TO EXTEND TIME TO ANSWER**

Defendant United States of America requests that this Court extend the time for the United States to answer or otherwise respond to the complaint filed by Plaintiff, ETC Sunoco Holdings LLC ("Sunoco") for forty-five (45) days. Under Rule 6(b) of the Federal Rules of Civil Procedure, the United States asserts good cause exists to extend the time to answer or otherwise respond to the complaint. The Plaintiff is not opposed to the relief sought in this Motion. The grounds for this motion are as follow:

1. Sunoco filed its complaint on September 25, 2020. Service on the United States (via the United States Attorneys' Office) was completed on or around December 14, 2020. The date for service of the United States' answer is on and around February 12, 2021.

2. Sunoco's complaint seeks a refund of federal income tax for the tax years 2010 and 2011, in the amounts of \$121,588,419 and \$27,704,313, respectively.

3. Thus far, counsel for the United States has not received the relevant administrative files from the Internal Revenue Service. The Service is diligently at work collecting the files and preparing the advice that will permit trial counsel to submit a more definitive answer to the complaint. Further, additional time would allow undersigned counsel for

the United States to become more familiar with the legal issues involved in this matter. An additional forty-five (45) days should be sufficient to complete this work and for the United States to answer or otherwise respond to the complaint.

4. As reflected in the Certificate of Conference, the Plaintiff does not oppose this request.

WHEREFORE, the United States respectfully requests that this Court extend the date for the United States to answer or otherwise respond to Sunoco's complaint to March 29, 2021.

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CERTIFICATE OF CONFERENCE

On February 8, 2021, I spoke with counsel for Plaintiff, regarding the request for an extension of time to serve the answer. Counsel stated that Plaintiff would not oppose the relief sought.

/s/ Jonathan L. Blacker
JONATHAN L. BLACKER

CERTIFICATE OF SERVICE

I certify that on February 9, 2021, I electronically filed the foregoing document via the Court's ECF system, which will send notification of such filing to the following:

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